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December 1, 2010

**VIA ECF & FACSIMILE**

The Honorable Brian M. Cogan  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, NY 11201

**Re: United States of America v. Thomas Gioeli, *et al.***  
**Case No. 08-cr-240 (S-6) (BMC)**

Dear Judge Cogan:

I am counsel for defendant Thomas Gioeli in connection with the above matter. Defense motions in this matter are due on December 3, 2010. I am writing in advance of that date to request a two-week adjournment for the filing of Mr. Gioeli's defense motions.

Mr. Gioeli was rushed to the hospital yesterday afternoon after suffering chest pains. Please note that I am not disclosing the name of the hospital for security reasons. Due to his medical condition and hospitalization, I will be unable to adequately review the motions and consult with Mr. Gioeli in advance of the current filing date.

I ask that the Court adjourn the filing date for defense motions for two weeks, to December 17, 2010. Further, I ask that the remainder of the motion schedule also be pushed back by two weeks. I propose the following schedule:

Defense Motions  
Government Response

December 17, 2010  
January 7, 2011

The Honorable Brian M. Cogan  
December 1, 2010  
Page 2 of 2

Defense Reply  
Hearings

January 21, 2011  
February 4, 2011

The Government consents to the additional time.

I want to thank the Court for its continued consideration of the foregoing.

Respectfully submitted,

*Adam D. Perlmutter*

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Cc: All counsel (via ECF)  
Thomas S. Gioeli (via regular mail)